

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/982,337 Confirmation No. 6724
Appellants : Todd Ouzts, et al.
Filed : 10/18/2001
Group Art Unit : 2173
Examiner : Dennis G. Bonshock
Title : METHOD FOR GRAPHICAL REPRESENTATION OF A CONTENT
: COLLECTION
Atty. Docket No. : 148466.01/MFCP.88143
Customer No. : 45809

VIA EFS – 13 November 2007**AMENDED APPEAL BRIEF**

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Commissioner for Patents
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This is an Amended Appeal Brief responding to the Notice of Non-Compliant Appeal Brief mailed on 30 October 2007. In the Amended Appeal Brief, a replacement section for the “SUMMARY OF THE CLAIMED SUBJECT MATTER” section is provided.

At page 7 of the Appeal Brief filed on 17 August 2007, please replace the “SUMMARY OF THE CLAIMED SUBJECT MATTER” section with the following:

V. SUMMARY OF CLAIMED SUBJECT MATTER

The instant Application includes four independent claims: 1, 9, and 15-16. Dependent claims 17, 18, 19, and 20 are argued separately.

Claim 1

Independent claim 1 defines a method that is used by a computer having a graphical operating environment. The graphical operating environment provides a collection of items 206 within a container 200, where the container 200 includes an outer appearance 202, *Appellants' Specification at p. 10, ll. 17-20*. The method enumerates the items 206 that exist within the container 200. *Appellants' Specification at p. 13, ll. 10-12*. For each enumerated item 206 within the container 200, the method determines whether a graphical preview can be generated. *Appellants' Specification at p. 13, ll. 14-17*. A list is generated to identify each item 204 for which a graphical preview can be generated. *Appellants' Specification at p. 14, ll. 4-8*. In turn, the method selects, from the list, a desired number of items 206 to display on the outer appearance 202 of the container 200 based upon a sort criteria, wherein the sort criteria selects the items 204 based upon those items 206 which were most recently modified in some way. *Appellants' Specification at p. 14, ll. 9-23*. The method displays the graphical previews for each of the selected items 206 on the outer appearance 202 of the container 200, wherein the graphical previews are not folders, and the graphical previews are generated by a thumbnail extractor based on extensions associated with the selected items. *Appellants' Specification at p. 16, ll. 10-20*. The graphical previews are located in a desired location on the outer appearance 202 of the container 200 to enable a computer user to quickly identify the contents

of the container **200** without opening the container **200**. *Appellants' Specification* at p. 13, ll. 10-15 and p. 15, ll. 11-15.

Claim 9

Independent claim 9 defines a method that is used by a computer system to display less than all of a collection of content items within a container. The method displays a background appearance **202** for the collection of content items **206**. *Appellants' Specification* at p. 10, ll. 17-20. In turn, the method determines if any of the collection of content items **206** can be graphically represented. *Appellants' Specification* at p. 13, ll. 14-17. When some of the collection of content items **206** can be graphically represented, the method sorts the content items **206** that can be graphically represented based on a sort criteria and the sorted content items **206** are displayed on the background appearance **202** for the collection of content items **206**. *Appellants' Specification* at p. 14, ll. 9-23. A textual message is also displayed on the background appearance **202** having the sorted content items **206**. *Appellants' Specification* at p. 12, ll. 18-20.

Claim 15

Independent claim 15 defines a computer system for displaying less than all of a collection of content items on a display using a graphical operating environment. The graphical operating environment of the computer system includes an item collection manager for providing a collection of content items **206** within a container **200**, the container **200** having a background appearance **202**. *Appellants' Specification* at p. 13, ll. 9-12. Additionally, the graphical operating environment includes a container display provider for sorting the collection of content items **206** based on a sort criteria and displaying graphical previews of the sorted content items **206**, without displaying all content items **206**, on the background appearance **202** of the container **200**. *Appellants' Specification* at p. 13, l. 13-p.

14, l. 20. The container display provider also displays a textual message on the background appearance **202** of the container **200** to enable a computer user to more easily identify the contents of the container **200** without opening the container **200**. *Appellants' Specification at p. 12, ll. 18-20.*

Claim 16

Independent claim 16 as currently amended defines a computer system for displaying a collection of content items on a display using a graphical operating environment. The graphical operating environment of the computer system includes a background appearance rendering component for the collection of content items **206**. *Appellants' Specification at p. 15, ll. 10-13.* Additionally, the graphical operating environment includes a graphical preview rendering component for determining if any of the collection of content items **206** can be graphically represented. *Appellants' Specification at p. 13, l. 10-p. 14, l. 13.* For content items **206** that can be graphically represented, the graphical preview rendering component sorts the content items **206** and renders graphical previews of the sorted content items **206** that can be graphically represented on a background appearance **202**. *Id.* Additionally, the graphical preview rendering component displays a textual message in addition to the background appearance **202** and the graphical previews. *Appellants' Specification at p. 12, ll. 18-20.* The graphical operating environment also includes a thumbnail extractor that generates the graphical previews based on the extensions associated with at least one of any of the collection of content items **206**, wherein the graphical preview are not folders. *Appellants' Specification at p. 16, ll. 10-23.*

Claim 17

Dependent claim 17 depends from independent claim 1 and indicates that the graphical previews are pictorial representations **204** of one or more images associated with the at least one item **206**. *Appellants' Specification at p. 12, l. 20-15 p. 13, l. 20.*

Claim 18

Dependent claim 18 depends from independent claim 9 and indicates that the graphical previews are pictorial representations **204** of one or more images associated with the at least one of the content item **206**. *Appellants' Specification at p. 12, l. 20-15 p. 13, l. 20.*

Claim 19

Dependent claim 19 depends from independent claim 15 and indicates that the graphical previews are pictorial representations **204** of one or more images associated with the at least one item **206**. *Appellants' Specification at p. 12, l. 20-15 p. 13, l. 20.*

Claim 20

Dependent claim 20 depends from independent claim 1 and indicates that the graphical previews are pictorial representations **204** of one or more images associated with the at least one of any of the collection of content items **206**. *Appellants' Specification at p. 12, l. 20-15 p. 13, l. 20.*

REMARKS

Appellant respectfully submits the above replacement sections to fully comply with 37 C.F.R. §41.37 and to respond to the Notice of Non-Compliant Appeal Brief mailed on 30 October 2007. Appellant respectfully request entry of this amended appeal brief. If there are any questions regarding this amended appeal brief or the application in general, a telephone call to the undersigned would be appreciated, since this should expedite the prosecution of the application for all concerned.

Additionally, Appellants respectfully reiterate that claims 1, 5-7, 9-12, and 15-20 are in condition for allowance. As such, Appellants respectfully request that the rejection of the claims be reversed and that a timely Notice of Allowance be issued in this case. Should there be any unresolved matters, please contact the undersigned.

Respectfully submitted,

Date: 13 November 2007.

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